

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

THE STATE OF MISSOURI, *et al.*,

Plaintiffs,

v.

PRESIDENT JOSEPH R. BIDEN, JR., IN
HIS OFFICIAL CAPACITY AS
PRESIDENT OF THE UNITED STATES OF
AMERICA, *et. al.*,

Defendants.

Civil Action No. 3:22-cv-1213

**[PROPOSED] ORDER ON PLAINTIFFS' MOTION FOR LEAVE TO SERVE THIRD
PARTY SUBPOENAS PRIOR TO A RULE 26(f) CONFERENCE**

Before the Court is Plaintiffs' Motion for early third-party discovery. Having considered the motion and the parties' briefing on the motion, the Court finds that good cause exists for expedited discovery on the basis Plaintiffs request. Accordingly, Plaintiffs' motion is granted, and discovery is hereby ORDERED as follows:

Plaintiffs may serve:

1. Drs. Anthony Fauci and David Morens with Rule 45 subpoenas, requiring them to provide Plaintiffs with emails from their non-governmental email addresses from October 2019 to the present containing one or more of the following search terms: "gain-of-function"; "Wuhan Institute of Virology"; "Daszak"; "Keusch"; "Roberts"; "Fauci"; "Morens"; "EcoHealth"; "Great Barrington Declaration"; "Kulldorff"; "Bhattacharya"; "lab-leak"; "social media"; "Twitter"; "Facebook"; "YouTube"; "DeSantis"; "vaccine"; "vaccines"; "lockdowns"; and "mask mandates." No subpoena recipient identified in this Order, however, shall be required to include their own

name in the search of their email account; for example Dr. Fauci need not include “Fauci” as a search term.

2. Rule 45 subpoenas on Boston University for Dr. Gerald Keusch’s emails, New England Biolabs for Dr. Richard Roberts’s emails, and EcoHealth Alliance for Dr. Peter Daszak’s emails, requiring them to provide Plaintiffs with emails from their servers from October 2019 to the present containing the search terms in ¶1 of this Order.

3. Rule 45 subpoenas directly on Drs. Keusch, Roberts, and Daszak for any emails they exchanged with Drs. Fauci and/or Morens between October 19 and the present, containing the search terms in ¶1.

4. A Rule 45 subpoena on Gmail for emails written by Drs. Fauci and/or Morens between October 2019 and the present containing the same search terms in ¶1. Plaintiffs may use Dr. Fauci’s name and other identifiers to locate Dr. Fauci’s emails.

5. Plaintiffs shall attach to any subpoena issued under the authority of this Order a copy of this Order.

DONE AND ORDERED this ___ day of _____, 2024.

By: _____
Hon. Terry A. Doughty U.S. District Judge